

REMARKS

Applicant's brief interview with the examiner is appreciated. It is believed that these claims are allowable over Hiroshi, Owen et al. and Revill since neither Hiroshi, Revill nor Owen et al.'s flexible membrane is pre-stressed. All claims now include the pre-stressed flexible membrane. A pre-stressed flexible membrane is not shown or suggested in any of the prior art patents applied by the Examiner.


The objection to claims 1, 4 and 14 have been attended to. The rejection of claims 12 and 13 as indefinite have been attended to by rewriting claim 12 in independent form as a combination claim.

All claims, except withdrawn claims 19-21, should now be allowed. This amendment should put this application in condition for allowance and was not presented earlier since the importance of the membrane being pre-stressed was not appreciated until the examiner's final rejection.

Respectfully submitted,

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Enclosure: Marked Up Claims to Show Changes

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MARKED UP CLAIMS TO SHOW CHANGES

1. (Twice Amended) A container closure for an open-ended container comprising:

(i) a pre-stressed flexible membrane for closing the open end of the container;

(ii) a seal disposed to lie, in use of the closure between the flexible membrane and a container;

(iii) a rigid cap having a resiliently deformable member juxtaposed to the [fleximbe] flexible membrane in use of the closure, the resiliently deformable member in use pressing the flexible membrane against the container in the vicinity of the seal, thereby reinforcing the seal sufficiently to withstand pressures generated on heating of the contents of the container;

wherein, the rigid cap includes one of a cam and follower pair engageable in use of the closure with the other of a cam and follower pair on a said container, including a neck, that is closeable by the closure relative movement between the cam and follower in a predetermined direction causing the rigid cap and the container neck to approach one another, thereby increasing the pressure exerted by the resiliently deformable member on the flexible membrane,

the rigid cap further including a laminar member and an annular skirt depending downwardly therefrom, the cam or the follower being secured on the upper wall of the skirt,

and wherein the laminar member is spaced from the flexible membrane by a distance less than the maximum possible extension of the [resiliently deformable] flexible member towards the laminar member.

4. (Twice Amended) A container closure according to any preceding claim shaped to close a container, including a neck having an annular flange for defining part of the said seal, the resiliently deformable member being in use of the closure

substantially congruent with the flange whereby the resilient member [passes] presses the flexible membrane against the flange.

12. (Thrice Amended) A combination of an open-ended container and container closure therefore comprising:

(i) a pre-stressed flexible membrane for closing the open end of the container;

(ii) a seal disposed to lie, in use of the closure between the flexible membrane and a container;

(iii) a rigid cap having a resiliently deformable member juxtaposed to the flexible membrane in use of the closure, the resiliently deformable member in use pressing the flexible membrane against the container in the vicinity of the seal, thereby reinforcing the seal sufficiently to withstand pressures generated on heating of the contents of the container;

wherein, the rigid cap includes one of a cam and follower pair engageable in use of the closure with the other of a cam and follower pair on a said container, including a neck, that is closeable by the closure relative movement between the cam and follower in a predetermined direction causing the rigid cap and the container neck to approach one another, thereby increasing the pressure exerted by the resiliently deformable member on the flexible membrane,

the rigid cap further including a laminar member and an annular skirt depending downwardly therefrom, the cam or the follower being secured on the upper wall of the skirt,

and wherein the laminar member is spaced from the flexible membrane by a distance less than the maximum possible extension of the flexible member towards the laminar member, said container being a metal or composite can.

14. (Twice amended) A method of closing a container with a closure according to Claim 1 comprising the steps of:

- (i) adhesively securing a said flexible membrane on the open end of a neck of the container, thereby forming a said seal;
- (ii) engaging the [can] cam and follower of a said rigid cap and the container neck with one another; and
- (iii) moving the rigid cap and the container neck relative to one another to cause relative movement between the cam and the follower in the predetermined direction, thereby causing the resiliently deformable member to press the flexible membrane against the container in the vicinity of the seal sufficiently to maintain the seal against pressures generated in the container on heating of its contents.